

investments so as to attract private investment to areas where it is needed; Reg CC 203.1(b)(1)(iii), and (3) to assist in identifying possible discriminatory lending patterns and enforcing anti-discrimination statutes. Reg C 203.1(b)(2).

*Respondents:* Credit unions.

*Estimated No. of Respondents/Record keepers:* 1,996.

*Estimated Burden Hours Per Response:* 41.46 hours.

*Frequency of Response:* Record-keeping, third party disclosure and reporting annually.

*Estimated Total Annual Burden Hours:* 82,765 hours.

*Estimated Total Annual Cost:* 0.

By the National Credit Union Administration Board on February 11, 2005.

**Mary Rupp,**

*Secretary of the Board.*

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BILLING CODE 7535-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of February 21, 2005:

A Closed Meeting will be held on Thursday, February 24, 2005 at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552(b)(3), (5), (7), (9)(B), and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Glassman, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the Closed Meeting scheduled for Thursday, February 24, 2005, will be:

Formal orders of investigations;  
Institution and settlement of injunctive actions; and

Institution and settlement of administrative proceedings of an enforcement nature; and a

Litigation matter.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary at (202) 942-7070.

Dated: February 15, 2005.

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 05-3291 Filed 2-16-05; 11:13 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-51201; File No. SR-Amex-2005-18]

### Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval of a Proposed Rule Change by the American Stock Exchange LLC Relating to the Retroactive Suspension of Transaction Fees in Connection With the iShares® COMEX Gold Trust

February 14, 2005.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on February 7, 2005, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Amex. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons and is approving the proposal on an accelerated basis.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to apply retroactively a suspension of Amex transaction charges for specialist, registered trader, broker-dealer and customer orders for the iShares COMEX Gold Trust (the "Gold Trust") from January 28, 2005 through January 31, 2005. The text of the proposed rule change is available on Amex's Web site: <http://www.amex.com>, at the Amex's Office of the Secretary, and the Commission's Public Reference Room.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, Amex included statements concerning the purpose of and basis for the proposal and discussed any comments it received regarding the proposal. The text of these statements may be examined at the places specified in Item III below. The Amex has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

##### A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The Amex proposed, in a companion filing (SR-Amex-2005-14), to suspend transaction charges in the Gold Trust through February 28, 2005 for specialist, registered trader, broker-dealer and customer orders.<sup>3</sup> The Gold Trust commenced trading on the Exchange on January 28, 2005; however, the filing to suspend transaction charges for specialists, registered traders, broker-dealers and customers was not filed with the Commission until February 1, 2005. As such, market participants were charged according to the existing fee schedule for trust issued receipts ("TIRs") from January 28, 2005 through January 31, 2005.

Under the current fee schedule, off-floor orders (*i.e.*, customer and broker-dealer) are charged \$.0060 per share (\$.60 per 100 shares), capped at \$100 per trade (16,667 shares). Orders entered electronically into the Amex Order File ("System Orders") from off the Floor for up to 5,099 shares are not assessed a transaction charge. This provision, however, does not apply to System Orders of a member or member organization trading as an agent for the account of a non-member competing market maker. System Orders over 5,099 shares currently are subject to a \$.0060 per share transaction charge, capped at \$100 per trade. Specialists are charged \$0.0033 (\$0.33 per 100 shares), capped at \$300 per trade (90,909 shares). Registered traders are charged \$0.0036 (\$0.36 per 100 shares), capped at \$300 per trade (83,333 shares).

Under the proposed rule change, the Exchange is suspending all transaction charges in the Gold Trust for specialist, registered trader, broker-dealer and

<sup>3</sup> See Securities Exchange Act Release No. 51185 (February 10, 2005) (File No. SR-Amex-2005-14). This proposal was filed pursuant to Section 19(b)(3)(A) of the Act and was effective upon filing.